

Remarks

Status of application

Claims 1-22 and 24 are pending and stand finally rejected in view of prior art. Applicant filed a Notice of Appeal on August 11, 2008 and an Appeal Brief on October 10, 2008 to Appeal the Examiner's final rejection of Applicant's pending claims. In response, the Examiner mailed an Examiner Answer containing a new ground of rejection pursuant to 37 CFR Section 41.39(a)(2) on January 7, 2009. In response to the Examiner Answer mailed January 7, 2009 Applicant hereby requests prosecution to be reopened under 37 CFR Sections 41.39(b) and 1.111 and amends the claims and adds new claims to address the Examiner's new grounds of rejection of Applicant's claims under 35 USC Sections 101 and 112. Applicant additionally requests reconsideration of the prior art rejections discussed in detail below and in Applicant's previously filed Appeal Brief.

General

A. Section 101 rejection of claims 1-22 and 24

Claims 1-22 and 24 stand rejected under 35 USC Section 101 on the basis that they are directed towards non-statutory subject matter. The Examiner states that the claims seem to involve a mere mental process and are not tied to any particular apparatus or other category of statutory subject matter. Applicant respectfully disagrees as Applicant's claims (see e.g., claim 1) already include limitations of a "computer-implemented method" and Applicant's specification describes that Applicant's invention may be implemented in hardware, software or firmware (or combinations thereof). This is expressly stated, for example, at paragraph [0030] of Applicant's specification as follows: "...the corresponding apparatus element may be configured in hardware, software, firmware or combinations thereof" (see e.g., Applicant's specification, paragraph [0030]; see also paragraphs [0031]-[0042] of Applicant's specification describing a computer hardware and software environment in which Applicant's invention may be implemented). However, in an effort to further prosecution Applicant has amended claim 1 (and dependents thereof) to include claim limitations of providing

that the Applicant's invention is implemented in a computer having at least a processor and memory. Additionally, Applicant has added new claims 25-44 of a system for specifying and enforcing entitlements for performing financial transactions that includes a computer having a processor and memory and claim 45 of a banking system implemented in a computer having a processor and memory. These new claims are drawn solely from the subject matter of the application as filed and, accordingly, it is respectfully submitted that no new matter has been added. In view of these amendments, it is respectfully submitted that the rejection of claims 1-22 and 24 under Section 101 is overcome.

B. Section 112 rejection of claim 24

The Examiner has also rejected claim 24 under 35 USC Section 112, fourth paragraph as not being of proper dependent form. Applicant has amended claim 24 to place the claim in dependent form, thereby overcoming the Examiner's rejection.

Prior Art Rejections

A. First Section 102 Rejection: Win and Rowe

Claims 1, 4-5, 7-8, 10-16, 18-22 and 24 stand rejected under Section 103 based on Win and Rowe, which Applicant believes are distinguishable for the reasons set forth in Applicant's previously-filed Appeal Brief. As discussed in detail in Applicant's Appeal Brief (incorporated herein by reference), Applicant's claimed invention utilizes a hierarchical structure for specifying and enforcing entitlements for performing financial transactions that is particularly useful in banking and other financial applications and is distinguishable from the cited prior art references in a number of respects. The entitlements that may be specified and enforced with Applicant's claimed invention include whether a given user is allowed to perform certain financial transactions (e.g., create wire transactions) as well as limits on the user's performance of permitted activities, such as setting a dollar limit for payment operations and other banking functions.

In the Answer the Examiner continues to argue that Win's role-based administrative privileges are comparable to Applicant's solution for specifying and enforcing entitlements for performance of financial transactions. For example, the

Examiner states that Win describes means "by which an authorization (permission) to perform a certain function (i.e., financial transaction) is provided to persons tasked with performing certain functions or roles (i.e., financial analyst)" (Examiner Answer, page 14). However, the actual teachings of Win make no mention whatsoever of performing financial transactions. Additionally, the Examiner goes on to state that Applicant's claims, as written, do not differentiate from the role-based administrative permissions described by Win. Applicant respectfully disagrees. Applicant's claim 1, for example, includes claim limitations specifically providing that Applicant's invention provides a solution for specifying and enforcing entitlements for performance of financial transactions as follows:

A method implemented in a computer system having at least a processor and memory for specifying and enforcing entitlements for performance of financial transactions, the method comprising:
providing a hierarchical entitlement structure with inheritance for specifying entitlements for performing financial transactions;
receiving user input for defining a plurality of entitlement groups of said hierarchical entitlement structure, wherein each entitlement group has specified permissions to perform financial transactions, limits on performance of said financial transactions, and membership of each user;
in response to a particular user request to perform a financial transaction at runtime, identifying the particular user's membership in a certain entitlement group; and
determining whether to allow the particular user to perform the financial transaction based on permissions and limits of said hierarchical entitlement structure applicable to the particular user's performance of the financial transaction.

(Applicant's claim 1, emphasis added)

As discussed in detail in Applicant's Appeal Brief, given Win includes no teachings of financial transactions being performed, there is nothing to teach or remotely suggest how one might use Win's system to specify and enforce permissions and limits for performing financial transactions. Additionally, Win does not include a similar "hierarchical entitlement structure with inheritance" as described below and in Applicant's previously-filed Appeal Brief.

With respect to Applicant's hierarchical entitlement structure with inheritance, the Examiner continues to maintain that Win's teachings of roles are analogous. However,

Win simply describes conventional role-based permissions in which users are assigned to one or more roles (e.g., employee, customer, distributor or supplier) based on their relationship to the organization (Examiner Answer, page 16 citing Win, col. 5, lines 2-8). Win makes no mention whatsoever of organizing these roles in any sort of hierarchical structure with inheritance among roles in a manner comparable to the limitations of Applicant's claims (see, e.g., claim 1 above).

Additionally, Applicant's solution provides flexibility in defining and enforcing limits on the performance of financial transactions. For instance, Applicant's claimed invention provides that limits may be applied collectively to members of a particular entitlement group as well as children groups of the particular group in the hierarchical structure. A maximum daily or weekly limit on transactions may, for example, apply to the CFO and all members of child entitlement groups in the hierarchical structure that inherit permissions from the CFO. This feature for defining and enforcing limits applying collectively to members of multiple entitlement groups is included in Applicant's claims. For example, Applicant's dependent claim 12 includes the following claim limitations:

The method of claim 1, wherein said step of defining a plurality of entitlement groups includes defining limits applying collectively to a particular entitlement group and children entitlement groups of said particular entitlement group in said hierarchical entitlement structure.

(Applicant's claim 12, emphasis added)

Respectfully, Win's teaching of assigning administration privileges (e.g., those referenced at pages 15-16 of the Examiner Answer) are not comparable as they do not describe one role inheriting from another role. Rather, Win simply describes that some roles (i.e., administrators) have the right to modify permissions (e.g., add and subtract permissions) granted to other roles (Win, col. 18, lines 25-34). Additionally, neither Win nor Rowe provide anything comparable to the above features for defining limits which are applied collectively to multiple entitlement groups.

The Examiner relies on Rowe as providing teachings of limits on performance of financial transactions that are admittedly not taught by Win. However, Rowe's teachings are distinguishable in a number of respects. For one thing, the limits described by Rowe

are associated with particular financial accounts rather than particular roles (members of an entitlement group). With Applicant's claimed invention, in contrast, users are members of entitlement groups, with each group having specified permissions and limits for performing financial transactions defined in the previously discussed hierarchical entitlement structure.

In particular, the limits enforced by Applicant's invention include cumulative limits which apply to multiple groups, for which Rowe provides no comparable teaching. Additionally, Applicant's invention allows one to define and enforce per-transaction limits as well as limits which are cumulative over a period of time as provided, for example, in Applicant's dependent claim 8. The Examiner contends that Rowe's teaching of an expiration date on a given financial account is somehow analogous (Examiner Answer, page 20). However, the expiration date is tied to a particular account. Additionally, it would appear that Rowe's account would expire (and the user would be denied access to the account) on the given expiration date whether or not any transactions of any value had posted by the given expiration date. Thus, Rowe only provides for a single value limit which is assigned to a given account (not a user or role and certainly not multiple entitlement groups) and provides that the account may expire at a given point in time. Applicant respectfully fails to understand how this is at all analogous to Applicant's claim limitations of cumulative limits applying over a period of time to users having a given role (i.e., membership in a given entitlement group). For example, Applicant's solution may enable a given user to perform transactions up to \$500 per transaction, with a maximum cumulative limitation of \$2,000 in transactions per week. As another example, limits may be defined using Applicant's invention such that the CFO of an organization and all users in (child) entitlement groups underneath the CFO in the entitlement structure (e.g., users in accounts receivable, accounts payable and controller groups reporting to the CFO) are collectively subject to a limit of \$50,000 per day and \$100,000 per month (see e.g., example at Applicant's specification, paragraph [48]). Rowe's solution does not allow limits to be defined in this fashion.

All told, Win and Rowe are distinguishable from Applicant's claimed invention in a number of respects. Therefore, Applicant respectfully believes that claims 1, 4-5, 7-8, 10-16, 18-22 and 24 overcome the rejection under Section 103 for the reasons set forth

above and those set forth in Applicant's previously filed Appeal Brief.

B. Second Section 103 rejection: Win, Rowe and Barkley

Claims 2-3, 6, 9 and 17 stand rejected under Section 103 based on Win, Rowe and Barkley. As to these claims the Examiner adds Barkley for its teachings regarding inheritance among roles. More particularly, the Examiner maintains that Barkley's approach to inheritance is a "top-down" approach because Barkley's discusses that persons having a higher position in the organization (e.g., branch manager) typically have greater access privileges compared to lower level subordinate employees (Examiner Answer, pages 21-22). However, this is **not** Applicant's invention. Instead, Applicant's claimed invention provides a hierarchical entitlement structure in which a given entitlement group inherits permissions provided to its parent entitlement group in said hierarchical entitlement structure (see e.g., Applicant's claim 2). With Applicant's invention the lower level subordinates (i.e., members of child inheritance groups) inherit permissions from the branch manager (i.e., parent entitlement groups).

Furthermore, with Applicant's invention the permissions that are inherited by an entitlement group from its parent are restricted (see e.g., Applicant's claim 3), such that the child's (or subordinate's) exercise of a given privilege may be subject to restrictions not applicable to the parent. With Barkley's solution, in contrast, managers (i.e., the parent role), inherit permissions held by subordinate employees (children) (see e.g., Barkley Fig. 5 and col. 13, lines 41-49) in addition to having their own permissions. Thus, Barkley is describing "bottom-up" inheritance in which superior (i.e., parent) roles inherit from subordinate (child) roles. There is nothing in Barkley to teach or suggest that subordinate (child) roles inherit privileges from superior (parent roles). Additionally, given that Barkley's inheritance is bottom-up, restrictions are not applied to the higher-level employees that inherit permissions from lower level subordinates. Thus, Barkley in fact "teaches away" from Applicant's invention as discussed in detail in Applicant's Appeal Brief (incorporated herein by reference). Accordingly, Applicant respectfully believes that claims 2-3, 6, 9 and 17 overcome the rejection under Section 103 for the reasons set forth above and those set forth in Applicant's previously filed Appeal Brief.

C. New Claims 25-45

Applicant additionally believes that new claims 25- 45, which include claim

limitations comparable to those of discussed above are believed to be allowable for the reasons discussed in detail above as to claims 1-22 and 24 as well as those set forth in Applicant's Appeal Brief.

Any dependent claims not explicitly discussed are believed to be allowable by virtue of dependency from Applicant's independent claims, as discussed in detail above and in Applicant's Appeal Brief.

Conclusion

In view of the foregoing remarks and the amendment to the claims, it is believed that all claims are now in condition for allowance. Hence, it is respectfully requested that the application be passed to issue at an early date.

If for any reason the Examiner feels that a telephone conference would in any way expedite prosecution of the subject application, the Examiner is invited to telephone the undersigned at 925 465 0361.

Respectfully submitted,

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